

07-18-01

A

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
10441BTotal Pages in this Submission
4**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

A NOVEL GROWTH FACTOR AND A GENETIC SEQUENCE ENCODING SAME

and invented by:

Nicholas Kim Hayward, Gunther Weber, Sean Grimmond, Magnus Nordenskjold and Catharina Larsson

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 08/765,588

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 58 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets _____
- b. ☒ Informal Number of Sheets 52
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ Computer Program in Microfiche *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy *(identical to computer copy)*
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers *(cover sheet & document(s))*
9. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☒ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing

☐ First Class ☒ Express Mail *(Specify Label No.):* EL895322243US

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Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☒ Additional Enclosures *(please identify below):*

Request to Use Computer Readable form of Sequence Listing from Another Application under 37 C.F.R

1.821(e)

**Paper Copy of Sequence Listing
Verification**

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	18	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	15	- 3 =	12	x \$80.00	\$960.00
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					\$270.00
BASIC FEE					\$710.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$1,940.00

- ☒ A check in the amount of **\$1,940.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).


Signature

Dated: July 17, 2001

Frank S. DiGiglio
Registration No.: 31,346

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516)742-4343

CC:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Nicholas K. Hayward, et al.**

Docket No.

10441B

Serial No.

Unassigned

Filing Date

Herewith

Examiner

Unassigned

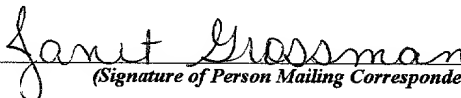
Group Art Unit

UnassignedInvention: **A NOVEL GROWTH FACTOR AND A GENETIC SEQUENCE ENCODING SAME**

I hereby certify that the following correspondence:

New Divisional Patent Application*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

July 17, 2001*(Date)***Janet Grossman***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL895322243US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Nicholas K. Hayward, et al.

Examiner: Unassigned

Serial No.: Unassigned

Art Unit: Unassigned

Filing Date: Herewith

Docket: 10441B

For: A NOVEL GROWTH FACTOR AND A
GENETIC SEQUENCE ENCODING SAME

Date: July 17, 2001

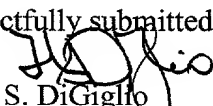
Assistant Commissioner for Patents
Washington, DC 20231

VERIFICATION UNDER 37 C.F.R. §1.821(f)

Sir:

I hereby state that the content of the paper and computer readable copy of the
Sequence Listing filed in the parent application on January 11, 2001, in accordance with 37
C.F.R. §1.821(c) and (e), respectively, are the same.

Respectfully submitted,


Frank S. DiGiglio

Registration No. 31,346

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400 Garden City Plaza
Garden City, New York 11530
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PIB:bb

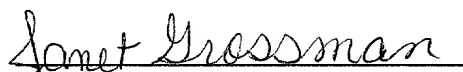
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail mailing label number: EL895322243US

Date of Deposit: July 17, 2001

I hereby certify that this correspondence is being deposited with the United States
Postal Service as Express Mail Post Office to Addressee service under 37 C.F.R. §1.10 on the
date indicated above addressed to: Assistant Commissioner for Patents and Trademarks,
Washington, DC 20231.

Dated: July 17, 2001


Janet Grossman

**PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Nicholas K. Hayward, et al.

Examiner: Unassigned

Serial No.: Unassigned

Art Unit: Unassigned

Filing Date: Herewith

Docket: 10441B

For: A NOVEL GROWTH FACTOR AND A
GENETIC SEQUENCE ENCODING SAME

Date: July 17, 2001

Assistant Commissioner for Patents
Washington, DC 20231

**REQUEST TO USE COMPUTER READABLE FORM OF SEQUENCE
LISTING FROM ANOTHER APPLICATION UNDER 37 C.F.R. §1.821(e)**

Sir:

The computer readable form in this instant application is identical with that filed in Application Serial Number 08/765,588, filed in the Amendment filed January 11, 2001. In accordance with 37 C.F.R. §1.821(e), please use the last-filed computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the


CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail mailing label number: EL895322243US

Date of Deposit: July 17, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee service under 37 C.F.R. §1.10 on the date indicated above addressed to: Assistant Commissioner for Patents and Trademarks, Washington, DC 20231.

Dated: July 17, 2001


Janet Grossman



09/907007

necessary changes in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is enclosed herewith.

Respectfully submitted,



Frank S. DiGiglio
Registration No. 31,346

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